

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEBRASKA

SHANE HARRINGTON,	)	
	)	
Plaintiff,	)	4:14CV3171
	)	
v.	)	
	)	
THE NEBRASKA LIQUOR CONTROL	)	ORDER
COMMISSION, THE CITY OF	)	
LINCOLN, NEBRASKA, a Municipal	)	
Corporation, and TOM CASADY,	)	
JIM PESCHONG, JOHN SPATZ,	)	
RUSSELL FOSLER and HOBERT	)	
RUPE, individually and in	)	
their official capacities as	)	
employees of the City of	)	
Lincoln and the State of	)	
Nebraska,	)	
	)	
Defendants.	)	
_____	)	

This matter is before the Court on plaintiff's motion to dismiss against the defendant, Nebraska Liquor Control Commission and the defendant Hobert Rupe (Filing No. [19](#)). The Court notes defendants Nebraska Liquor Control Commission and Hobert Rupe have no objection. Accordingly,

IT IS ORDERED that plaintiff's motion is granted. Nebraska Liquor Control Commission and Hobert Rupe are dismissed as defendants in this action, noting that plaintiff reserves his

right to file an action in a State Court of Nebraska in  
accordance with the laws of the State of Nebraska.

DATED this 23rd day of December, 2014.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court